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New Mayfair Care Center, Inc.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

| | |
|----------------------------------|-------------------------------------------------------|
| ----- | x |
| BERNADETTE WINSTON, | : |
| Plaintiff, | : Civil Action No. 09-cv-4792 (ARR) (LB) |
| v. | : |
| | : ECF CASE |
| | : |
| MAYFAIR CARE CENTER, INC. | : |
| Defendant/Third-Party Plaintiff, | : <u>NOTICE OF DISMISSAL PURSUANT</u> |
| | : <u>TO FED R. CIV. P. RULE 41(a)(1)(A)(i)</u> |
| | : |
| v. | : |
| COUNTY AGENCY, | : |
| Third-Party Defendant. | : |
| ----- | x |

Defendant/Third-Party Plaintiff New Mayfair Care Center, Inc. (improperly pled as "Mayfair Care Center, Inc." and referenced herein as "New Mayfair") by its undersigned counsel, Proskauer Rose LLP, hereby voluntarily dismisses Third-Party Defendant County Agency pursuant to Federal Rule of Civil Procedure ("Fed. R. Civ. P.") 41(a)(1)(A)(i).

April 28, 2010

By: /s/ Harris S. Freier
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S. ordered. S/ Judge Ross, USDJ
5/3/10